6. सफाई कर्मचारी समुदाय के व्यक्तियों के उत्पादन और उनके द्वारा स्थापित सेवा यूनिटों के समुचित और प्रभावी प्रबन्धन के लिए तकनीकी एवं उद्यमीय कौशलों के उन्नयन में सहायता करना।

7. स्वच्छता कार्य सम्पन्न करने के लिए प्रशिक्षण, गुणवत्ता नियंत्रण, प्रौद्योगिकी उन्नयन तथा अन्य सर्वसाधारण सुविधा केन्द्रों को बढ़ावा देना।

8. राज्य सरकारों/संघ राज्य क्षेत्र प्रशासनों द्वारा प्राधिकृत राज्य माण्यम एजेंसियों के माध्यम से निधियों को सुव्यवस्थित रूप देने के लिए राष्ट्रीय अनुसूचित जाति और अनुसूचित जनजाति वित्त एवं विकास निगम की तरह एक शीर्ष संस्था के रूप में कार्य करना राष्ट्रीय सफाई कर्मचारी वित्त एवं विकास निगम उपर्युक्त संगठनों के माध्यम से वित्तीय सहायता के लिए प्रस्ताव प्राप्त करेगा और लाभग्राहियों को इन संगठनों के माध्यम से संवितरण के लिए ऋणों एवं सीमान्त धनराशि को मंजूर करेगा। राष्ट्रीय सफाई कर्मचारी वित्त एवं विकास निगम, इस निगम द्वारा वित्त घोषित, प्रापिकृत राज्य वित्त एवं विकास निगमों/बोर्डों/संघ राज्य क्षेत्रों के माध्यम से कार्यान्वित योजनाओं/कार्यक्रमों का समन्वय और मॉनीटर भी करेगा।

9. स्व-रोजगार प्राप्त व्यक्तियों/व्यक्ति समूहों अथवा पंजीकृत फैक्टरियों/कम्पनियों/सफाई कर्मचारियों की सहकारिताओं को उनके द्वारा तैयार माल के विपणन में सहायता प्रदान करना और कच्चे माल की खरीद में सहायता प्रदान करना।

10. सफाई कर्मचारियों के सामाजिक आर्थिक विकास और पुनर्वास संबंधी सरकारी नीतियों एवं कार्यक्रमों को आगे बढ़ाने में सहायता करना।

Progress in Implementing the Wakf Act, 1995

1020. SHRI K. RAHMAN KHAN: Will the Minister of WELFARE be pleased to refer to answer to Unstarred Question No. 2126 given in the Rajya Sabha on 26th August, 1996 and state:

(a) the details of the progress in implementing the Wakf Act, 1995 in the States which so far could not implement the Act for one reasons or the other;

(b) whether powers of State Government have finally been delegated to Lt. Governor/ Administrator of Delhi and Pondicherry;

(c) whether similar power are being delegated to the U.T. Administrations of Andaman & Nicobar Islands, Dadar & Nagar Havely, Daman & Diu and Lakshadweep;

(d) whether State Governments of Sikkim, Tripura and Bihar have taken any move in this direction; and

(e) the genuine difficulties of Goa and Nagaland in giving effect to the provisions of the Wakf Act, 1995?

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA): (a) Government of Kerala has framed and notified the Rules under Section 109 of the Wakf Act, 1995. While the Government of Karnataka have drafted the Rules which are stated to be under scrutiny of the Law Department of the State Government. The State Government of Karnataka has also informed that as soon as the Rules are finalised further action will be taken to constitute the Wakf Board and the Wakf Tribunal.

Government of Rajasthan have also informed that Rules have been drafted and sent to their Law Department for scrutiny.

The Governments of Assam, Orissa and Tripura and the Govt. of National Capital Territory of Delhi have stated that Rules are being framed.

Governments of Bihar, Manipur and Tamil Nadu have stated that action is being taken to implement the Wakf Act, 1995.

The Government of Maharashtra have stated that the Rules are being framed to implement the Act.

The Governments of Arunachal Pradesh, Mizoram and Sikkim have stated that since there are no Wakf properties in the respective States a Wakf Board is not required.

For the States of Punjab, Haryana, Himachal Pradesh and Union Territory of Chandigarh there is a composite Punjab Wakf Board which is presently under supersession.

The Government of Uttar Pradesh have informed that the implementation of the Wakf Act, 1995 has been challenged by a writ petition filed by one Shri Rizwan-ul-Haq and the Lucknow Bench of the Allahabad High Court has granted a stay with the stipulation that the two Wakf Boards constituted under the Uttar Pradesh Muslim Wakfs Act, 1960 would continue till the final disposal of the writ petition. Thus, the matter is *sub-judice*.

(b) Yes Sir. A notification delegating the powers of State Government under Wakf Act, 1995, to the Lt. Governor/Administrator of Delhi and Pondicherry has been issued by the Ministry of Home Affairs on 19th August, 1996.

(c) Yes Sir.

(d) While the Government of Bihar have stated that action is being taken to implement the provisions of the Wakf Act, 1995, the Government of Tripura have initiated action to frame Rules under Wakf Act, 1995.

However, the Government of Sikkim have stated that Muslim population in Sikkim is very small and there are no wakf properties in Sikkim. Again the land Laws in State do not permit transfer of land to non-Sikkimese. Therefore, in these circumstances the State Government is not implementing the Wakf Act, 1995 in the State of Sikkim. The Union Government has advised the State Government to reconsider the matter by intimating the number of Mosques/Graveyards in the State which are wakfs by their very nature and also to consider if a common wakf board under section 106 of the Wakf Act, 1995 could be constituted by the Union Government for Sikkim and other States with low Muslim population.

(e) The Government of Goa has stated that the extension of Wakf Act, 1995 to the State of Goa is not desirable for the following reasons:

(i) The Muslim population in Goa is only 5% and they are governed under a common civil code and there is no distinction between Shia Muslims and Sunni Muslims as the law is common and applicable irrespective of sect.

(ii) Before the enforcement of Wakf Act, 1995 there was a corresponding law in this State. Moreover, the Wakf Act, 1954 and the Wakf (Amendment) Act, 1984 were not extended to the State. Therefore, the prevailing Portuguese Law has not been expressly repealed in terms of Section 112 of the Wakf Act, 1995. Therefore, the Government of Goa has requested that the notification of the Ministry of Welfare dated the 27th December, 1995 may be amended to the effect that it will not apply to the State of Goa.

The Union Goverment has clarified to the Government of Goa that the common civil code and the Wakf Act, 1995 have different areas of application and also that the smallness of Muslim population in the State could not be treated as a bar for enforcement of the Wakf Act in that State. It could only be a factor for consideration of the Central Government for constitution of a common wakf board under section 106 of the Wakf Act, 1995. While it is a fact Wakf Act, 1954 was not extended to the State of Goa, the new Wakf Act, 1995 has been enforced in the entire country except the State of Jammu & Kashmir for having a uniformity of wakf legislation throughout the country. It has also been clarified to the State Government that the State Laws corresponding to the Wakf Act, 1995, referred to in section 112 of the Wakf Act, 1995 are the laws governing the management and administration of wakfs and wakfs properties in a State like the Uttar Pradesh Muslim Wakfs Act, 1960, which stand repealed after the enforcement of the Wakf Act, 1995 with effect from 1st January, 1996. The State Government has been asked to reconsider the question of implementation of the Wakf Act, 1995 in the State in light of the factors/position mentioned above.

The Government of Nagaland have informed that in accordance with the special provisions enshrined under Article 371 A(1)(a) protecting the "religion and social practices of the Nagas" and the very fact that the State is predominantly a tribal society, the State Government does not consider it necessary to enforce the provisions of Wakf Act for the moment in the State. However, the State Government have been asked to reconsider the matter.